



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

SA:ZA
F.#2010R00256

*271 Cadman Plaza East
Brooklyn, New York 11201*

June 25, 2012

BY EMAIL AND ECF

Lloyd Epstein, Esq.
Epstein & Weil
225 Broadway, Ste. 1203
New York, NY 10007

Mark De Marco
2027 Williamsbridge Road
Bronx, NY 10401

Re: United States v. Sebborn and Waiters,
Criminal No. 10-087 (S-2)

Dear Counsel:

This letter shall serve as notice pursuant to Federal Rule of Criminal Procedure 16(a)(1)(G) that the government may call Firearms Technical Leader Stephen M. Deady to provide expert testimony at trial in this matter in the field of firearms identification, specifically firearms and tool mark comparison. Deady has been certified as a firearms and toolmarks examiner/trainer by the Association of Firearms and Tool Mark Examiners ("AFTE"). He is the Firearms Technical Leader for the New York City Police Department, the New Jersey State Police Ballistic Unit in Hamilton, New Jersey, and the Ocean County, New Jersey Sheriff's Department. Deady has testified as an expert over a hundred times in various state and federal courts.

The government anticipates that Deady will offer his opinion regarding ballistics evidence recovered in the case, consistent with the microscopic analysis reports previously provided to you. Deady will also offer his opinion on the reliability of the methodology utilized to determine the comparisons in those reports. A copy of Deady's resume, the relevant microscopic analysis reports and various notes associated therewith, are attached hereto.

The government reserves the right to call substitute expert witnesses as well as to call additional expert witnesses, and will provide advance notice of any intent to do so.

If you have any questions or further requests, please do not hesitate to contact us.

Very truly yours,

LORETTA E. LYNCH
United States Attorney
Eastern District of New York

By: /S/
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Enclosures

cc: Clerk of Court (SLT)(w/o enclosures)